

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

UNITED STATES OF AMERICA)
)
v.)
) Criminal No. 10-10087-NMG
SHELTON JOHNSON,)
)
)
Defendant)
)

**REPORT AND RECOMMENDATION ON MOTION TO MODIFY SUPERVISED
RELEASE TO AUTHORIZE POSSESSION AND USE OF MEDICAL MARIJUANA**

July 8, 2022

Hennessy, M.J.

Defendant Shelton Johnson ("Johnson") moves to amend the conditions of his supervised release to authorize him to ingest marijuana pursuant to the recommendation of a medical doctor. [Dkt. No. 105]. The United States opposes the motion. [Dkt. No. 117]. The matter was referred to me for a report and recommendation. [Dkt. No. 113]. I recommend that the motion be DENIED.

I. Background

Johnson was charged in a two-count indictment with attempting to rob one bank and then robbing another on December 30, 2009. [See Dkt. Nos. 1, 1-1]. On June 15, 2011, Johnson pleaded guilty to the indictment. [Presentence Report ("PSR") ¶ 3]. In relevant part, the PSR reported the following:

The defendant stated that he is ready to stay clean and sober. He noted that he recognizes the damage his substance abuse had caused in his life and he has not been able to maintain a normal lifestyle or healthy relationships, because his drug use has been out of control. The defendant advised that because of his addiction, he believes that he lacks the skills to function in society. He stated that despite his age, he does not know how to do a lot of things that are common sense such as how to obtain a driver's license, open a bank account, or use credit. The defendant noted that upon his release from incarceration, he will definitely need transitional services

*After consideration of defendant's objection (Docket No. 132) thereto,
Report and Recommendation is accepted and adopted.*

SKM/Gorton, USDJ 08/10/2022